

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:15-CR-96-D

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 CEDRIC DEWAYNE CAPERS :

**AMENDED ORDER OF FORFEITURE**

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement entered into by the defendant on August 3, 2015, the following property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), made applicable to this proceeding by virtue of 28 U.S.C. § 2461(c), as a firearm and ammunition used in knowing violations of 18 U.S.C. §§ 922(g)(1), (j) and 924, to wit: a Del-Ton, Inc., DTI-15 rifle, .556 caliber, SN: B15967; and, seventeen (17) rounds of .40 caliber Winchester-Western ammunition;

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

AND WHEREAS, an Order of Forfeiture was entered by this Court on December 10, 2015 as to certain personal property and, in the interim, the United States was advised by its client

agency, the Bureau of Alcohol, Tobacco, Firearms and Explosives, that the firearm described as a Smith & Wesson SD40VE pistol, .40 caliber, SN: HEJ6425 has been identified as stolen property;

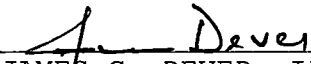
It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant CEDRIC DEWAYNE CAPERS, the United States is hereby authorized to seize the personal property, described as a Del-Ton, Inc., DTI-15 rifle, .556 caliber, SN: B15967, and seventeen (17) rounds of .40 caliber Winchester-Western ammunition, and they are hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That the subject firearm described as a Smith & Wesson SD40VE pistol, .40 caliber, SN: HEJ6425, the subject of a previous Order of Forfeiture entered by the Court is released from this criminal forfeiture action, so that it may be returned to its rightful owner by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

The Clerk is hereby directed to send copies of this Order  
to all counsel of record.

SO ORDERED. This 3 day of February, 2017.

  
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JAMES C. DEVER, III  
Chief United States District Judge